

<b>Montreal, Maine &amp; Atlantic Railway, Ltd.</b>	)	<b>Departmental</b>
<b>Derby Shop</b>	)	<b>Findings of Fact and Order</b>
<b>Piscataquis County</b>	)	<b>Air Emission License</b>
<b>Milo, Maine</b>	)	<b>Transfer</b>
<b>A-27-71-K-T</b>		

After review of the file and related materials submitted with regard to the above noted application, pursuant to Title 38, M.R.S.A., Section 590 and Chapter 1 of the Department Regulations, the Department finds the following facts:

- I. Montreal, Maine & Atlantic Railway, Ltd. has requested the transfer of Air Emission License A-27-71-I-R and license amendment A-27-71-J-M from Bangor and Aroostook Railroad Co. to Montreal, Maine & Atlantic Railway, Ltd. Derby Shop, through a letter to the Bureau of Air Quality dated March 25, 2003. The facility is a railroad locomotive and railcar repair and maintenance shop. Air Emission License A-27-71-I-R, was issued to Bangor and Aroostook Railroad Co. on April 10, 2002. Air Emission License Amendment A-27-71-J-M was issued on December 16, 2002.

The full address of the Derby Shop location is:

Montreal, Maine & Atlantic Railway, Ltd.  
Derby Shop  
100 B&A Avenue  
Milo, Maine 04463

- II. The full name and address of the new owner is:

Montreal, Maine & Atlantic Railway, Ltd.  
15 Iron Road  
Herman, Maine 04401

The closing date for the purchase was January 9, 2003 and Montreal, Maine & Atlantic Railway has assumed all obligations of the facility. A copy of the transaction was submitted to the Bureau of Air Quality on March 25, 2003.

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- III. Montreal, Maine & Atlantic Railway certifies that there will be no increase in air emissions beyond that provided for in the existing license, either in quantity or type.
- IV. Montreal, Maine & Atlantic Railway, Ltd. states that they possess the technical and financial capacity to operate the facility. There will be no change in operation, personnel and contact people at the facility as a result of this ownership change. Thus, the applicant feels confident that there is sufficient expertise in running the plant so as to operate completely within compliance with the license.

### ORDER

Based on the above, the Department concludes that the applicant for the air emission license transfer has the capacity to satisfy all applicable statutory criteria and hereby APPROVES the transfer of Air Emission License A-27-71-I-R and license amendment A-27-71-J-M, from Bangor and Aroostook Railroad Co. to Montreal, Maine & Atlantic Railway Ltd., Derby Shop, subject to all conditions attached to them.

DONE AND DATED IN AUGUSTA, MAINE THIS        DAY OF        2003.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
DAWN R. GALLAGHER, COMMISSIONER

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: **March 25, 2003**

Date of application acceptance: **March 25, 2003**

Date filed with the Board of Environmental Protection \_\_\_\_\_

This Order prepared by Peter G. Carleton, Bureau of Air Quality